

US EPA ARCHIVE DOCUMENT



Status of OPP Priority Rulemaking Actions



**Bill Diamond, Director
Field and External Affairs Division
PPDC Meeting – October 20, 2005**

Outline

- ◆ **PURPOSE: Update on status of rulemakings & identification of future actions**
 - ◆ **Role of Rulemaking in National Pesticide Program**
 - ◆ **Key Rulemakings in FY 2006**
 - ◆ **Upcoming Rulemakings**



Role of Rulemaking in National Pesticide Program

- ◆ **OPP Mission:**

*Protect Public Health & the Environment by
Ensuring Pesticide & Alternatives are Safe &
Available for a Healthy America.*

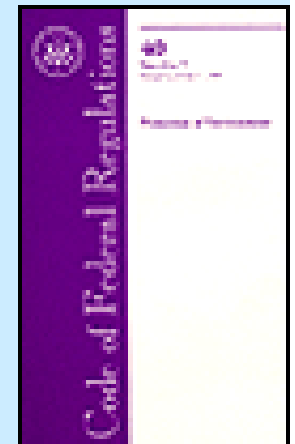
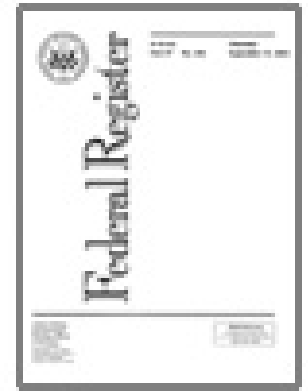
- ◆ **Rulemaking Mission:**

*Protect public health & the environment by
issuing high quality & effective pesticide
regulations which promote safe use.*



Programmatic Benefits of Regulations

- ◆ **PUBLIC HEALTH & ENVIRONMENTAL PROTECTION:** Establish core protective requirements.
- ◆ **STRUCTURE:** Organized framework for major components of the program.
- ◆ **CONSISTENCY:** Promotes fairness of application of requirements.
- ◆ **CLARITY:** Clear articulation of requirements.
- ◆ **EFFICIENCY:** One time resolution of issues vs. case-by-case.
- ◆ **DEMOCRACY:** Forum for full & open policy debate.
- ◆ **DEFENSIBILITY**



Broad Categories of Rules

- ◆ **Health/Environmental Improvements**
 - ◆ Container Integrity & Containment
 - ◆ Worker Protect Std Improvements
 - ◆ Applicator Certification

- ◆ **Program Modifications**
 - ◆ Registration Review

- ◆ **Sound Science Thru Sound Data**
 - ◆ Conventional Data Req'ts: Part 158
 - ◆ Antimicrobial Data Req'ts: Part 158W
 - ◆ Biochemical/Microbial Data Req'ts: Part 158(L)&(M)

- ◆ **Process Improvements**
 - ◆ Emergency Exemption Improvements

Emergency Exemption Process: Section 18

- ◆ **DESCRIPTION:** Improve & streamline the process for granting Section 18 exemptions

- ◆ **Status**
 - ◆ Proposed September 2004
 - ◆ 28 comments on proposal
 - ◆ Final rule drafted
 - ◆ Rule undergoing interagency review

- ◆ **Next Steps**
 - ◆ Pilot program continues until final rule
 - ◆ Promulgation of final rule in early 2006
 - ◆ Workshop planning underway for roll-out

Container & Containment Rule

- ◆ **DESCRIPTION:** Establish standards for pesticide containers and bulk containment structures minimize human exposure during container handling; facilitate container disposal and recycling; & protect the environment from releases or spills.

- ◆ **Status**
 - ◆ Reopened comment period June 2004
 - ◆ Over 200 comments
 - ◆ Revising Final Rule package
 - ◆ Rule undergoing interagency review

- ◆ **Next Steps**
 - ◆ Promulgation of final rule targeted for early 2006
 - ◆ Planning underway for roll-out

 - ◆ **Recycling:**
 - ◆ Exploring regulatory solutions for container recycling
 - ◆ Active in development of voluntary standard

Conventional Pesticides Data Requirements: Part 158

- ◆ **DESCRIPTION:** Update data requirements to reflect current practice to improve clarity, transparency and consistency.

- ◆ **Status**
 - ◆ Proposed March 2005
 - ◆ Public Workshop May 2005 & related meetings
 - ◆ Comment period extended until September 2005
 - ◆ Over 150 comments
 - ◆ Reviewing comments and modifying Final Rule package, as appropriate.

- ◆ **Next Steps**
 - ◆ Promulgation of final rule currently targeted for early 2007

Upcoming Rulemakings

- ◆ **Plant Incorporated Protectants – Data Requirements**
 - ◆ **Early planning**

- ◆ **158 L&M – Data Requirements for Biochemical and Microbial Pesticides**
 - ◆ **Proposed rule undergoing interagency review**
 - ◆ **Plan to issue proposal in early 2006**

- ◆ **Crop Grouping Expansion**
 - ◆ **Planning to expand crop groups for tolerance setting**